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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/693,921	HOSOTANI ET AL.
	Examiner	Art Unit	
	Peter L. Cheng	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 October 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-8</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-8</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>01 March 2004</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-SB/08)
    Paper No(s)/Mail Date <u>10/28/2003</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Drawings

1.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: **Fig. 10**, reference character **S102** ("Display Edit Menu"). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2.   The disclosure is objected to because of the following informalities:

- There are some typographical and grammatical errors in the disclosure; applicant may choose to apply the following suggestions; for example, **page 2, line 5** (change "is to be needed" to "is needed"); **page 2, line 14** (insert "an" between "that" and "erroneous"); **page 2, line 15** (change "devices conducted to enterprises" to "devices managed by enterprises"); **page 2, lines 17-18** (remove "there are some cases that" and change "versions of these models are different ..." to versions of these models may be different ..."); **page 4, line 7** (remove the second "also" in "also capable of reflecting an edited result *also* to other devices"); **page 14, line 18** (insert "a" between "with" and "configuration"); **page 16, line 20** (change "respect" to "respective"); **page 17, line 25** (suggest replacing "inputs both an item which is wanted to be set" with either "inputs both an item to be set" or "inputs both an item to be configured"); **page 18, line 6** (replace "a cold reserving storage" with "refrigerator", as indicated on page 11, line 8); **page 19, line 8** (change "an model" to "a model"); **page 23, line 16** (remove "the" in "the step"); **page 24, line 6** (change "can be reflected in the batch manner as to the same models of printers" to "can be transmitted in a batch manner for the same model of printers", or similar wording); **page 26, line 13** (insert "an" before the first "editing"); **page 26, line 22** (change "an model" to "a model"); **page 27, lines 22 – 24** (suggest changing "set to the first printer 2" to "set to a first printer 2", "set to the next printer 2" to "set to a second printer 2", and "set to the *further next* printer 2" to "set to a third printer 2"); **page 29, line 1** (insert

"is" before "transmitted"); **page 30, line 5** (suggest changing "an editing work" to "an edited configuration"); **page 30, line 7** (change "a erroneous" to "an erroneous"); **page 30, line 25** (change "may case" to "may cause"); **page 31, line 8** (change "fourthe" to "fourth"); **page 32, line 23** and **page 35, line 19** (suggest changing "the erroneous operation" to "an erroneous operation"); **page 32, line 24** and **page 35, line 20** (suggest changing "the input work" to "setting configuration values", or similar wording); **page 33, line 11** and **page 36, line 7** (suggest changing "grasp" to "ascertain" or similar word); **page 33, line 13** and **page 36, line 8** (suggest "if a configuring error occurs" instead of "when the configuring error happens to occur"); **page 33, line 14** and **page 36, line 10** (suggest "determine" or similar word instead of "find out");

- **Page 14, line 17:** reference number **15** is associated with a "ROM"; however, on **page 14, line 6,** reference number **15** is associated with a "storage unit"; for clarity, suggest replacing "a ROM 15" with "a ROM of storage unit 15", or similar wording;

- **Page 14, line 19:** suggest adding reference number "151" after "file"; that is, "information storage file **151** which stores ...";

- **Page 18, line 18:** for consistency, suggest replacing **machine sort file 252** with **machine information file 252;**

- **Page 19, line 11:** with respect to the examples shown in Fig. 1, it is assumed that applicant intended to cite "**version is 2**" instead of "**version is 1**"; that is, printer A211 has a name "A", version "2" and number "11";

- **Page 28, line 6:** from Fig. 10, it is assumed that applicant intended to cite **step S102** instead of **step S103**;

- **Page 28, line 8:** for clarity, suggest adding "**(step S103)**" after **13**;

Appropriate correction is required.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4.   Claim 8 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 8 is drawn to functional descriptive material NOT claimed as residing on a computer readable medium.   MPEP 2106.IV.B.1(a) (Functional Descriptive Material) states:

"Data structures not claimed as embodied in a computer-readable medium are descriptive material per se and are not statutory because they are not capable of causing functional change in the computer."

"Such claimed data structures do not define any structural or functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized."

"In contrast, a claimed computer-readable medium encoded with the data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory."

Claim 8, while defining a **software program product**, does not define a "computer-readable medium" and is, therefore, non-statutory for that reason. The examiner suggests amending so as to cite, "*A software program product residing on a computer-readable medium containing computer-executable code that, when executed, causes a computer system to execute procedures for configuring ...*" in order to make the claim statutory.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.   Claims 1, 2, 3, 4, 6, 7, 8 are rejected under 35 U.S.C. 102(b) as being anticipated

by **GOFFINET [US Patent 5,905,906]**.

As for claims 1, 7, and 8, GOFFINET teaches a device configuring method for

configuring a plurality of devices of various kinds by an information processing

apparatus [**Fig. 1,** host computer **12**] which is connected to the devices via a

communication network [**Fig. 1** LAN **15**], the method comprising:

> **acquiring from a first device [Fig. 1** printer **13] both model information of the**
>
> **first device and identification information specific to the first device by the**
>
> **information processing apparatus**
>
> [GOFFINET teaches a method by which a host computer (**Fig. 1** host computer
>
> **12**) may "save the configuration information of a particular printer (e.g., printer
>
> 13)"; **col. 6, lines 47 - 48.** This is illustrated in **Fig. 4** as the "Quick Setup Save"
>
> procedure.
>
>
> Within the printer controller (**Fig. 3**), the "Options Manager 37 is designed to be
>
> able to easily retrieve and store all such configuration variables for its particular
>
> model laser printer"; **col. 7, lines 5 – 7.**
>
>
> Shown in **Fig. 4,** steps **102** (Determine I.D. of Next OM Variable to be Read)
>
> through **110 (**At End of OM Table?**)**, the Options Manager reads each OM

variable shown in **Table #1** and transmits the corresponding value to the host

computer where it is stored in a file.

From **Table #1,** the host computer acquires "model information" of a first device

(e.g., OMMODELNAME, the model name) and "identification information" (e.g.,

OMSERIALNUM, the serial number);

other related "model information" could be obtained from Table #1 as well; for

example, some "higher-end" models may have 3 paper input trays whereas,

some "lower-end" models may just have one**];**

acquiring from the first device configuration information of the first device

by the information processing apparatus

[Contained within **Table #1** are various configuration variables (i.e., "OM

variables"); among these are, for example, **OMEMULATION** (default emulation),

OMPAPERSRC (default paper source), **OMOUTPUTCAP** (output drawer

capacity), and **OMINPUTCAP** (input tray1 capacity)**];**

storing the acquired configuration information in a status correlated with

both the model information and the identification information of the first

device

[**Fig. 4** "depicts a flow chart of the steps that the host computer (e.g., a host **12**)

must undergo to create a file at its own storage media (e.g., upon its own hard

disk drive) so as to save the configuration information of a particular printer"; **col.**

6, lines 44 – 47; the storing of the acquired configuration information occurs in

Fig. 4 step **112** (close file in which printer settings are stored)];

acquiring from a second device [e.g., printer 16a shown in Fig. 1] both model

information of the second device and identification information specific to

the second device by the information processing apparatus

[As with the first device (i.e., printer **13**), the host computer could obtain both

model and identification information specific to a second device, and display

model information as shown in **Fig. 8;** "those printers having bi-directional

communications capabilities are noted with an asterisk, such as that indicated by

index numeral 212"; **col. 22, lines 12 - 14];**

determining whether or not the model information of the first device and

the model information of the second device coincide with each other

[GOFFINET teaches that once the model, identification and configuration

information are acquired from the first device and are stored in a file (**Fig. 4** step

112), "the file on the hard drive can be accessed and its contents sent to other

printers on the LAN 15, thereby configuring such other printers very quickly and

easily"; **col. 15, lines 3 – 6.**

GOFFINET further teaches that "under normal circumstances, it is preferred that

such setup or configuration information for a particular printer be utilized on other

printers having the identical model number"; **col. 15, lines 6 - 9];**

transmitting, when determined that the model information of the first

device and the model information of the second device coincide with each

other, the stored configuration information of the first device from the

information processing apparatus to the second device

[As noted above, GOFFINET teaches that it is preferable that the first and

second devices have the "identical model number".

Fig. 6 illustrates the "Quick Setup Send" host computer procedure. Once a

configuration setup file has been selected (**step 140**), a selection is made as to

which printers will be configured (**step 142**). **Steps 144** through **152** retrieve

configuration values stored in the saved setup file and transmit each value (along

with its corresponding variable identification) to a second device (i.e., a selected

printer); specifically, the data packet for a "Set OM Variable" command has a

format shown in **col. 15, line 29];**

and configuring the second device in accordance with the transmitted

configuration information

[**Fig. 7** illustrates the "Set OM Variable" printer procedure. After the second

device (i.e., a selected printer) receives the packet sent from the host computer,

the printer controller's Options Manager reads the value of the OM variable (from

the data packet) and stores it into memory; **col. 16, lines 32 – 35.**

"Configuring the second device" is achieved by storing the new OM variable

values into memory].

Regarding claim 2, GOFFINET teaches a device configuring system comprising:

a plurality of devices of various kinds

[GOFFINET teaches "each of the printers 13, 16a, 16b, 16c, and 16d may be of

the same type or of different models"; **col. 3, lines 57 - 59];**

and an information processing apparatus [Fig. 1, host computer **12] which is**

connected to the devices via a communication network [Fig. 1 LAN 15],

wherein the information processing apparatus comprises:

a first acquiring unit configured to acquire from a first device [Fig. 1 printer

13] both model information of the first device and identification information

specific to the first device

[GOFFINET teaches a method by which a host computer (**Fig. 1** host computer

12) may "save the configuration information of a particular printer (e.g., printer

13)"; **col. 6, lines 47 - 48.** This is illustrated in **Fig. 4** as the "Quick Setup Save" procedure.

Within the printer controller (**Fig. 3**), the "Options Manager 37 is designed to be able to easily retrieve and store all such configuration variables for its particular model laser printer"; **col. 7, lines 5 – 7.**

Shown in **Fig. 4**, steps **102** (Determine I.D. of Next OM Variable to be Read) through **110** (At End of OM Table?), the Options Manager reads each OM variable shown in **Table #1** and transmits the corresponding value to the host computer where it is stored in a file.

From **Table #1,** the host computer acquires "model information" of a first device (e.g., OMMODELNAME, the model name) and "identification information" (e.g., OMSERIALNUM, the serial number);

other related "model information" could be obtained from Table #1 as well; for example, some "higher-end" models may have 3 paper input trays whereas, some "lower-end" models may just have one];

a configuration information acquiring unit configured to acquire from the first device configuration information of the first device

[Contained within **Table #1** are various configuration variables (i.e., "OM

variables"); among these are, for example, **OMEMULATION** (default emulation),

OMPAPERSRC (default paper source), **OMOUTPUTCAP** (output drawer

capacity), and **OMINPUTCAP** (input tray1 capacity)];

a storing unit configured to store the acquired configuration information in

a status correlated with both the model information and the identification

information of the first device

[**Fig. 4** "depicts a flow chart of the steps that the host computer (e.g., a host 12)

must undergo to create a file at its own storage media (e.g., upon its own hard

disk drive) so as to save the configuration information of a particular printer"; **col.**

6, lines 44 – 47; the storing of the acquired configuration information occurs in

Fig. 4 step **112** (close file in which printer settings are stored)];

a second acquiring unit configured to acquire from a second device [e.g.,

printer **16a** shown in **Fig. 1**] **both model information of the second device and**

identification information specific to the second device

[As with the first device (i.e., printer **13**), the host computer could obtain both

model and identification information specific to a second device, and display

model information as shown in **Fig. 8;** "those printers having bi-directional

communications capabilities are noted with an asterisk, such as that indicated by

index numeral 212"; **col. 22, lines 12 - 14**];

a determining unit configured to determine whether or not the model information of the first device and the model information of the second device coincide with each other

[GOFFINET teaches that once the model, identification and configuration information are acquired from the first device and are stored in a file (**Fig. 4** step **112**), "the file on the hard drive can be accessed and its contents sent to other printers on the LAN 15, thereby configuring such other printers very quickly and easily"; **col. 15, lines 3 – 6.**

GOFFINET further teaches that "under normal circumstances, it is preferred that such setup or configuration information for a particular printer be utilized on other printers having the identical model number"; **col. 15, lines 6 - 9];**

and a transmitting unit configured to transmit, when determined that the model information of the first device and the model information of the second device coincide with each other, the stored configuration information of the first device to the second device

[As noted above, GOFFINET teaches that it is preferable that the first and second devices have the "identical model number".

Fig. 6 illustrates the "Quick Setup Send" host computer procedure. Once a

configuration setup file has been selected (**step 140**), a selection is made as to

which printers will be configured (**step 142**). **Steps 144** through **152** retrieve

configuration values stored in the saved setup file and transmit each value (along

with its corresponding variable identification) to a second device (i.e., a selected

printer); specifically, the data packet for a "Set OM Variable" command has a

format shown in **col. 15, line 29],**

wherein the second device comprises a configuring unit configured to

perform a configuration thereof in accordance with the transmitted

configuration information

[**Fig. 7** illustrates the "Set OM Variable" printer procedure. After the second

device (i.e., a selected printer) receives the packet sent from the host computer,

the printer controller's Options Manager reads the value of the OM variable (from

the data packet) and stores it into memory; **col. 16, lines 32 – 35.**

"Configuring the second device" is achieved by storing the new OM variable

values into memory].

Regarding claim 3, GOFFINET further teaches the device configuring system as

claimed in claim 2,

wherein the second device further comprises a completion information

transmitting unit configured to transmit, after the configuration is

completed, completion information that indicates the completion of the

configuration to the information processing apparatus

[After the OM configuration variable's value has been set in the second device

(i.e., a selected printer; see **Fig. 7,** step **168**), a "success" printer response may

be sent back to the host computer;

alternatively, a "failure response will be transmitted if the data size checking

failed, or if the [oid1] and [oid2] NPA identification was not acceptable by this

particular laser printer"; **col. 16, lines 62 – 65;** in the latter case, an NPA

identification may be deemed not acceptable if it is "instructed to change an

attribute for a feature not installed on the printer (e.g., if paper tray 3 is being set

to size A4 paper, and a third paper tray is not installed ...), it will ignore this Set

OM Variable command"; **col. 15, lines 35 - 39].**

Regarding claim 4, GOFFINET further teaches the device configuring system as

claimed in claim 2,

wherein the information processing apparatus further comprises an editing

unit configured to edit the configuration information

[GOFFINET teaches, "a laser printer should have the capability of having its

configuration information contents uploaded into a host computer, so that the

host computer can store that same configuration information upon its own

storage media, such as in a file residing on a hard disk drive. Once a file is

created at the host computer, it will be understood that the contents of such file

can either be directly downloaded to the other laser printers on the network, or

that the file's contents could be *manipulated* so that individual operating

characteristics of a laser printer can be *modified* by a Network Administrator";

col. 6, lines 33 – 42],

wherein the storing unit is further configured to store the edited

configuration information

[As noted above, the stored configuration file's contents can be "*manipulated* so

that individual operating characteristics of a laser printer can be *modified* by a

Network Administrator, and that the file is stored in a storage media (e.g., a hard

disk drive)],

and wherein the transmitting unit is configured to transmit the edited

configuration information as the configuration information to the second

device

[As noted above, the configuration file can be either *directly downloaded* (i.e.,

without modification) to other printers on the network, *or* first modified and then

sent to other printers on the network].

Regarding claim 6, GOFFINET teaches a device configuring system comprising:

a plurality of devices of various kinds

[GOFFINET teaches "each of the printers 13, 16a, 16b, 16c, and 16d may be of

the same type or of different models"; **col. 3, lines 57 - 59];**

and an information processing apparatus [Fig. 1, host computer 12] which is

connected to the devices via a communication network [Fig. 1 LAN 15],

wherein the information processing apparatus comprises:

a first acquiring unit configured to acquire from a first device [Fig. 1 printer

13] model information of the first device

[GOFFINET teaches a method by which a host computer (**Fig. 1** host computer

12) may "save the configuration information of a particular printer (e.g., printer

13)"; **col. 6, lines 47 - 48.** This is illustrated in **Fig. 4** as the "Quick Setup Save"

procedure.

Within the printer controller (**Fig. 3**), the "Options Manager 37 is designed to be

able to easily retrieve and store all such configuration variables for its particular

model laser printer"; **col. 7, lines 5 – 7.**

Shown in **Fig. 4**, steps **102** (Determine I.D. of Next OM Variable to be Read)

through **110 (**At End of OM Table?**),** the Options Manager reads each OM

variable shown in **Table #1** and transmits the corresponding value to the host

computer where it is stored in a file.

From **Table #1,** the host computer acquires "model information" of a first device

(e.g., OMMODELNAME, the model name) and "identification information" (e.g.,

OMSERIALNUM, the serial number);

other related "model information" could be obtained from Table #1 as well; for

example, some "higher-end" models may have 3 paper input trays whereas,

some "lower-end" models may just have one**];**

a configuration information acquiring unit configured to acquire from the

first device configuration information of the first device

[Contained within **Table #1** are various configuration variables (i.e., "OM

variables"); among these are, for example, **OMEMULATION** (default emulation),

OMPAPERSRC (default paper source), **OMOUTPUTCAP** (output drawer

capacity), and **OMINPUTCAP** (input tray1 capacity)**];**

a storing unit configured to store the acquired configuration information in

a status correlated with the model information of the first device

[Fig. 4 "depicts a flow chart of the steps that the host computer (e.g., a host 12)

must undergo to create a file at its own storage media (e.g., upon its own hard

disk drive) so as to save the configuration information of a particular printer"; **col.**

6, lines 44 – 47; the storing of the acquired configuration information occurs in

Fig. 4 step **112** (close file in which printer settings are stored)**];**

and a transmitting unit configured to transmit the stored configuration

information of the first device together with the correlated model

information to a second device

[Fig. 6 illustrates the "Quick Setup Send" host computer procedure. Once a

configuration setup file has been selected **(step 140)**, a selection is made as to

which printers will be configured **(step 142)**. **Steps 144** through **152** retrieve

configuration values stored in the saved setup file and transmit each value (along

with its corresponding variable identification) to a second device (i.e., a selected

printer); specifically, the data packet for a "Set OM Variable" command has a

format shown in **col. 15, line 29],**

wherein the second device [e.g., printer **16a** shown in **Fig. 1,** or another printer

similar to printer **13** shown in **Fig. 1] comprises:**

a determining unit configured to determine whether or not the transmitted

model information of the first device coincides with a previously stored

model information thereof

[Each printer stores its configuration variables in NVRAM; **col. 13, lines 58 – 60**;

GOFFINET teaches that each printer may store its configuration variables "in different physical memory locations" (**col. 7, lines 1 - 3**) but that it is the Options Manager's task to "easily retrieve and store all such configuration variables for its particular model laser printer"; **col. 7, lines 5 – 7**.

GOFFINET teaches that the second device (i.e., a selected printer) has a "determining unit" which "determines whether or not the data is an acceptable value and whether or not the data for a particular attribute (i.e., for an OM variable) corresponds to the options and configuration" of a printer; **col. 15, lines 32 – 35.**

"Model information" may be defined as the features and installed accessories of a particular device; in this case, a printer may have up to 3 input paper trays. However, "if a particular printer is instructed to change an attribute for a feature not installed on the printer (e.g., if paper tray 3 is being set to size A4 paper, and a third paper tray is not installed ...), it will ignore this Set OM Variable command"; **col. 15, lines 35 - 39**];

> **and a configuring unit configured to perform a configuration thereof in**
>
> **accordance with the transmitted configuration information in a case where**
>
> **determined that the transmitted model information and the previously**
>
> **stored model information coincide each other**

[**Fig. 7** illustrates the "Set OM Variable" printer procedure. After the second

device (i.e., a selected printer) receives the packet sent from the host computer,

the printer controller's Options Manager reads the value of the OM variable (from

the data packet) and stores it into memory; **col. 16, lines 32 – 35.**

"Configuring the second device" is achieved by storing the new OM variable

values into memory].

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

9.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over

GOFFINET [US Patent 5,905,906] in view of **TATEYAMA [US Patent 6,425,019 B1]**.

Regarding claim 5, GOFFINET does not specifically teach the device configuring

system as claimed in claim 2,

wherein the identification comprises an MAC address of the device.

TATEYAMA teaches a data communications method among various types of devices

which may include computers, printers, and storage devices; **col. 5, lines 62 – col. 6,**

line 3. TATEYAMA further teaches the identifier (ID) unique to each device "may be a

network address such as an Internet Protocol (IP) address or a Media Access Control

(MAC) address"; **col. 22, lines 40 – 42.**

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of TATEYAMA with those of GOFFINET to use a

network device's MAC address as an identification since network devices are assigned

unique and specific MAC addresses at the time of manufacture.

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure:

- U.S. Patent 6,349,304 [Boldt et al.]

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Peter L. Cheng whose telephone number is 571-270-

3007. The examiner can normally be reached on MONDAY - FRIDAY, 8:30 AM - 6:00
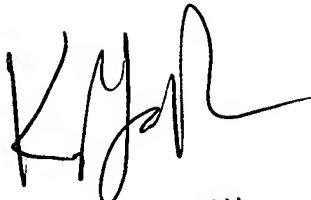
PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, King Y. Poon can be reached on 571-272-7440. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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you have questions on access to the Private PAIR system, contact the Electronic

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

plc

KING Y. POON
SUPERVISORY PATENT EXAMINER